

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

PAUL SOMERS,  
Plaintiff,

v.

DIGITAL REALTY TRUST INC, et al.,  
Defendants.

Case No. 14-cv-05180-EMC (KAW)

**ORDER REGARDING DISCOVERY  
LETTER BRIEF**

Re: Dkt. No. 108

Before the Court is the parties' joint discovery letter brief, Dkt. No. 108. The Court held a telephonic discovery hearing on the matter on July 7, 2016. Following that telephonic discovery hearing, the Court hereby orders the following:

With respect to<sup>1</sup> "Requests for Production, Set One, Request Nos. 7," Interrogatories, Set Two, Interrogatory No. 1, "Request Nos. 13," Request No. 14, Request for Production Set One, No. 8, Interrogatory No. 9, Interrogatory No. 10, Interrogatory No. 14, Interrogatory No. 6, Set Two, and Defendants' Request for Production, Set Three, Plaintiff shall provide responses within 14 days of this order.

With respect to Request for Production Set 1, Nos. 5, 6, & 28, Defendants shall produce responsive documents subject to the parties meeting and conferring on specifying a limited search period. If Plaintiff believes specific documents exist that have not been produced, he shall also provide Defendants with details that will facilitate a search for any such documents. To the extent Plaintiff seeks requests for admission, he may propound such requests consistent with the Federal Rules of Civil Procedure.

<sup>1</sup> To avoid confusion, the Court will refer to the propounded discovery using the designations the parties employed in their joint letter.



1 With respect to Request for Production Set 1, No. 4, Defendants shall produce any  
2 responsive documents subject to the stipulated protective order entered in this case. Any personal  
3 information may be redacted.

4 With respect to "(RFP 2) No. 88," Defendants shall attempt to verify whether the  
5 communications referenced by Plaintiff took place, and whether relevant records exist. Any  
6 relevant records shall be produced within 14 days.

7 With respect to Request for Production Set Two, No. 80, the parties shall meet and confer  
8 regarding any contested privilege assertions. Any unresolved issues may be presented to the Court  
9 in a joint discovery letter brief that conforms to the Court's General Standing Order. Insofar as  
10 Plaintiff seeks information that is outside the scope of the request, he shall propound appropriate  
11 additional discovery.

12 With respect to Request for Production Set Two, "No. 82, 83," the Court finds that  
13 Plaintiff's requests do not exceed the scope of Rules 26 and 34. Defendants shall produce  
14 responsive documents within 14 days subject to the protective order entered in this case. Personal  
15 information may be redacted.

16 With respect to Request for Production, Set Two, No. 85, Defendants shall produce  
17 responsive documents within 14 days of the parties meeting and conferring about a limited search  
18 period.

19 With respect to Request for Production, Set Two, No. 86, Plaintiff shall provide additional  
20 information regarding the specific documents he thinks are responsive to the request, and based on  
21 that information, Defendants shall search for such documents and supplement its responses  
22 accordingly within 14 days of receiving the information from Plaintiff.

23 With respect to Request for Production Set Two, Nos. 96, 97, and 98, the Court finds that  
24 the information sought is not relevant and declines to order production of that information.

25 With respect to Request for Production Set Two, Nos. 100, 101, 102, 110, and 111, the  
26 parties shall meet and confer regarding a date range and additional search terms that will narrow  
27 Defendants' search for responsive documents.

28 Plaintiff shall make himself available for deposition within the next 30 days, and the



1 parties shall meet and confer to select a mutually agreeable date.

2 Plaintiff shall not contact Defendants directly. All communications shall be directed to  
3 their counsel.

4 Plaintiff is reminded that Defendants may seek legal advice from a law office, and any  
5 such communications are protected from disclosure by the attorney-client privilege.

6 Where the parties have been ordered to meet and confer, they must do so within 7 days.  
7 Any additional responses are due 14 days thereafter.

8 IT IS SO ORDERED.

9 Dated: 07/08/16

  
KANDIS A. WESTMORE  
United States Magistrate Judge